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IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA, and) DEPARTMENT OF HEALTH, STATE OF) HAWAI'I) Plaintiffs,) NO. CV 06-00140 SPK BMK v.) PLAINTIFF UNITED STATES OF) AMERICA'S NOTICE OF MOTION) AND MOTION TO ENTER CONSENT) DECREE)) JAMES H. PFLUEGER; PFLUEGER) Date: June 16, 2006 PROPERTIES; AND PILA'A 400 LLC,) Time: 2:00 p.m.) Defendants.) Hon. Barry M. Kurren) Courtroom No. C6
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Plaintiff United States of America, on behalf of the United States Environmental Protection Agency ("EPA"), hereby moves the Court to enter the Consent Decree lodged in this case on March 9, 2006. Pursuant to the Court's Minute Order of May 19, 2006, a

hearing on the motion is scheduled for June 16, 2006, at 2:00 p.m., before the Hon. Barry M. Kurren.

In support of its motion, the United States submits the accompanying Memorandum of Law and Declaration of David B. Glazer. A Proposed Order is also submitted herewith, jointly with plaintiff State of California.

Dated: May 26, 2006

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on May 26, 2006, by the methods of service noted below, a true and correct copy of the foregoing was served on the following:

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Dated: May 26, 2006

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